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6-3-04
Date

Anna M. Matthews
Anna M. Matthews

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	10/713,792	Confirmation No.:	4190
Applicant	:	David L. Poll et al.		
Filed	:	November 14, 2003		
TC/A.U.	:	2873		
Examiner	:			
Docket No.	:	GEN10 P-326C		
Customer No.	:	028,469		

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)

Dear Sir:

Pursuant to 37 CFR §§1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached substitute for form s1449A/PTO and 1449B/PTO. This Information Disclosure Statement is being filed more than three months after the filing date of the above-referenced application but, to the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign patent documents and non-patent literature are attached. As the Office has waived the requirement under 37 CFR §1.98(a)(2)(i) for submitting a copy of each

Applicant : David L. Poll et al.
Appln. No. : 10/713,792
Page : 2

cited U.S. patent and each U.S. patent application publication, copies of the listed U.S. patents and U.S. patent application publication documents are not included with this submission.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 16-2463.

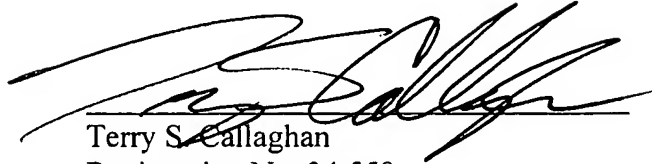
Respectfully submitted by,

David L. Poll et al.

Price, Heneveld, Cooper,
DeWitt & Litton LLP

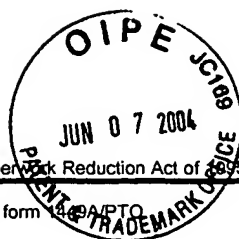
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A handwritten signature in black ink, appearing to read "Terry S. Callaghan", written over a horizontal line.

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Substitute for form 1449-PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/713,792
Filing Date	11/14/2003
First Named Inventor	David L. Poll
Art Unit	2873
Examiner Name	
Attorney Docket Number	GEN10 P-326C

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 4,640,583	2/1987	Hoshikawa et al.	
		US- 4,671,619	6/1987	Kamimori et al.	
		US- 4,702,566	10/1987	Tukude	
		US- 4,893,908	1/1990	Wolf et al.	
		US- 4,958,917	9/1990	Hashimoto et al.	
		US- 5,066,111	11/1991	Singleton et al.	
		US- 5,076,673	12/1991	Lynam et al.	
		US- 5,124,832	6/1992	Greenberg et al.	
		US- 5,136,419	8/1992	Shabrang	
		US- 5,161,048	11/1992	Rukavina	
		US- 5,336,448	8/1994	Byker	
		US- 5,384,653	1/1995	Benson et al.	
		US- 5,657,149	8/1997	Buffat et al.	
		US- 5,724,176	3/1998	Nishikitani et al.	
		US- 5,725,809	3/1998	Varaprasad et al.	
		US- 5,856,211	1/1999	Tonazzi et al.	
		US- 5,889,608	3/1999	Buffat et al.	
		US- 5,995,273	11/1999	Chandrasekhar	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0947874	10/1999			
		EP 0947875	10/1999			
		EP 0947876	10/1999			
		WO 9857228	12/1998			

Examiner
SignatureDate
Considered

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

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Sheet

2

of

2

Complete if Known

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Filing Date	11/14/2003
First Named Inventor	David L. Poll
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		Number-Kind Code ² (if known)			
		US- 6,045,724	4/2000	Varaprasad et al.	
		US- 6,055,088	4/2000	Fix et al.	
		US- 6,064,509	5/2000	Tonar et al.	
		US- 6,084,702	7/2000	Byker et al.	
		US- 6,207,083	3/2001	Varaprasad et al.	
		US- 6,317,248	11/2001	Agrawal et al.	
		US- 6,373,618	4/2002	Agrawal et al.	
		US- 6,407,847	6/2002	Poll et al.	
		US- 6,449,082	9/2002	Agrawal et al.	
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FOREIGN PATENT DOCUMENTS

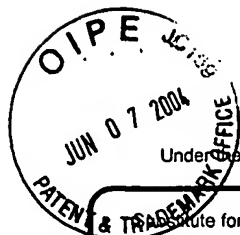
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/713,792
				Filing Date	11/14/2003
				First Named Inventor	David L. Poll
				Art Unit	287
				Examiner Name	Ben, Loha
Sheet	1	of	1	Attorney Docket Number	GEN10 P-326C

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		R. SULLIVAN ET AL., "Effect of Switching Control Strategies on the Energy Performance of Electrochromic Windows," SPIE, p. 443-455,	
		A.W. CZANDERNA ET AL., "Durability Issues and Service Lifetime Prediction of Electrochromic Windows for Buildings Applications," Solar Energy Materials & Solar Cells, 56 ed., p. 419-436,	

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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